

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LIBERTY MUTUAL FIRE INSURANCE, )  
as subrogee of AQUA CHEM, INC. n/k/a )  
CLEAVER BROOKS, INC., )

Plaintiff, )

v. )

BURLINGTON NORTHERN SANTA FE )  
RAILWAY n/k/a BNSF RAILWAY )  
COMPANY, a Delaware Corporation, )

Defendant. )

4:08CV3055

ORDER

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Because all of our magistrate judges are disqualified from handling cases involving the Burlington Northern Santa Fe Railway (BNSF), I will handle all pretrial matters associated with the case. In order to handle these matters efficiently and consistently, I will utilize the same procedures used by Judge Kopf in cases involving BNSF.

IT THEREFORE IS ORDERED that:

1. my judicial assistant shall arrange a telephone conference with counsel in this case about 20 days from now;
2. before the telephone conference, counsel shall confer and try to reach agreement on Rule 26 disclosures, discovery and the substantive content of the final progression order. During the telephone conference, counsel shall be prepared to discuss with me the following:
  - a. informal compliance with Rule 26 disclosures without a formal report;
  - b. no initial progression order and no initial planning conference beyond the above-mentioned telephone conference;
  - c. no required mediation plan;
  - d. early issuance of a "Final Progression Order" to include:
    - (i) deadline for motions to dismiss and for summary judgment;
    - (ii) deadlines for motions to compel discovery;

- (iii) deadlines for depositions;
- (iv) deadlines for disclosure of expert witnesses;
- (v) deadlines for pretrial disclosures;
- (vi) deadlines for motions in limine;
- (vii) date for final pretrial conference; and
- (viii) setting of trial week and estimate of trial time.

Dated April 2, 2008.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge